

PROB 12C
(7/93)

Report Date: October 26, 2010

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 26 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nobel James Kelly

Case Number: 2:03CR00066-001 -WFN

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 1/15/2004

Original Offense: Possession With Intent to Distribute Over 5 Grams of Cocaine Base, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 120 Months; TSR - 48 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas O. Rice

Date Supervision Commenced: 7/26/2010

Defense Attorney: Kimberly A. Deater

Date Supervision Expires: 7/25/2014

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | Standard Condition # 6: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment. |
|---|---|

Supporting Evidence: Mr. Kelly is considered in violation of his conditions of supervised release by failing to notify the probation officer at least ten days prior to a change in address.

On October 20, 2010, the undersigned officer was informed by Tim Blessing that Mr. Kelly failed to return to the clean and sober house where he was living. Mr. Kelly did not provide advanced notice of his intent to vacate nor did he speak with the undersigned officer.

- | | |
|---|---|
| 2 | Special Condition # 18: You shall complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement absent further order of the Court. You shall allow reciprocal release of information between the supervising officer and treatment provider. You shall contribute to the cost of treatment according to your ability to pay. |
|---|---|

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Supporting Evidence: Mr. Kelly is considered in violation of his conditions of supervised release by failing to comply with mental health treatment since October 19, 2010.

Mr. Kelly had a scheduled appointment with Doctor Grubb on October 19, 2010. Although Mr. Kelly did show up for the appointment, he re-scheduled without meeting with Doctor Grubb. Mr. Kelly offered no reasonable excuse why he re-scheduled the appointment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/26/2010

s/Samuel Najera

Samuel Najera
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

October 26, 2010

Date